

Docket No.: 125542-1005
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
Oliver Winzenried et al.

Patent No.: 7,779,033

Application No. 10/584,806

Issued: August 17, 2010

For: METHOD FOR CONTROLLING A DATA
PROCESSING DEVICE

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Patentee is making this request for refund under 37 CFR 1.26.

On June 28, 2006, Patentee claimed small entity status upon the filing of this application by paying the required fees reduced by one-half and indicating so on the transmittal letter under 35 U.S.C. §371 which accompanied the filing. Therefore, small entity status was properly asserted pursuant to 37 C.F.R. §1.26(c)(1) and §1.26(c) (3). Patentee has not filed a notice of loss of entitlement to small entity status. Therefore, the assertion of small entity status remains effective.

On January 28, 2009, Patentee filed a request for continued examination and mistakenly paid the required fee at the large entity rate of \$810 rather than at the small entity rate.

On July 13, 2010, Patentee mistakenly paid the issue fee at the required rate of \$1510 rather than at the small entity rate.

Patentee requests a refund of the two excess payments on January 28, 2009 and July 13, 2010 in the amounts of \$405 on January 28, 2009 and \$755 on July 13, 2010, respectively, for a total of \$1,160. This request for refund is being made within two years of the excess payments.

Dated: October 5, 2010

Respectfully submitted,

By /Marc A. Hubbard/

Marc A. Hubbard

Registration No.: 32,506

GARDERE WYNNE SEWELL LLP

1601 Elm Street, Suite 3000

Dallas, Texas 75201-4761

(214) 999-4880

Attorneys For Patentee